UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/187,284	11/05/1998	PATRICK LYNN	PLAT1005MCF/	2843

7590 12/08/2003	EXAMINER
Richard F Jaworski	GOOD JOHNSON, MOTILEWA
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ART UNIT	PAPER NUMBER
2672	2 8

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DATE MAILED: 12/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/187,284	Applicant(s) LYNN ET AL.
	Examiner Motilewa A. Good-Johnson	Art Unit 2672

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 September 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26 and 29-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26 and 29-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: application, filed on 11/05/1998;

Amendment A, filed on 06/27/2000; Preliminary Amendment B, filed on 09/24/2001;

Amendment C, filed on 10/01/2001.

2.   Claims 1-26 and 29-37 are pending in the case. Claims 1, 10, 14, 20, 26, 31-33

and 35 are independent claims. Claims 1, 2, 8, 9, 11, 12, 14, 15, 19-21 and 25 have

been amended.   Claims 26-37 have been added.

3.   The present title of the application is "Method and Apparatus for Interfacing with

Intelligent Three-Dimensional Components" (as originally filed).

Continued Examination Under 37 CFR 1.114

4.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

09/25/2003 has been entered.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

6.   Claims 1-26 and 29-37 are rejected under 35 U.S.C. 102(e) as being anticipated

by Falacara et al., U.S. Patent Number 6,377,263 B1, "Intelligent Software Components

for Virtual Worlds", class 345/473, 04/23/2003, filed 08/04/1997.

As per independent claim 1, a method of interfacing with a three-dimensional

object that is displayed, said method comprising: defining said three-dimensional object

as a component (Falacara discloses creating component which incorporate the 3D

model, col. 3, lines 35-37) with a component interface . . . containing an intelligent

content; (Falacara discloses 3D models and modular components having graphical and

behavioral content and providing the component to the 3D model to create a virtual

world, col. 3, lines 6-30) displaying a component interface, (Falacara discloses said

component interface being interactive with said three-dimensional content such that an

application developer is capable of interfacing with said three-dimensional object

through said component interface. (Falacara discloses programming construct in which

a component is defined with a geometry field and referencing, col. 5, lines 23-35, and

further discloses components are used as part of a console to instantiate components, col. 25, line 59 – col. 26, line 25)

With respect to dependent claim 2, defining at least one property to describe said component; (Falacara discloses defining components with the construct having properties, col. 5, lines 23-35) and defining an at least one route to interface said component with a second component . . . (Falacara discloses fields for specifying subcomponents of a component, col. 5, lines 23-35, and further discloses EXTERNPROTO, an interface specification for each component attribute, col. 15, lines 25-36)

With respect to dependent claims 3, 13, 16 and 22, . . . three-dimensional content language is a virtual reality modeling language. (Falacara discloses VR component using extensions of VRML, col. 6, lines 35-38)

With respect to dependent claim 4, at least one property is selected from the group consisting of color, shape, transformation, behavioral, event handling and grouping. (Falacara discloses components having attributes, geometry, behavior, rules for events, and naming, col. 5, lines 23-43, and also discloses translation and scaling, col. 26, line 32)

With respect to dependent claim 5, at least one route is selected from the group consisting of event and action as an event model for the component. (Falacara discloses components are configured with response scenarios, to change in response to events, col. 3, lines 43-44)

With respect to dependent claim 6, component interface is selected from the group consisting of group, pickable, transformable, colorable and texture. (Falacara discloses defining the component by the appearance, composition, personality, and texture, and further discloses the component composition having parts and attributes of the parts, col. 7, lines 1-55)

With respect to dependent claim 7, component interface is selected from the group consisting of a smart property list, a smart property, a smart widget, a smart factory, a property, a property list, and extension and an extension factory. (Falacara discloses EXTERNPROTO interface in which the component interface includes a field for each property, and further discloses properties such as geometry field, signature field, version field, inheritance field, attributes, behaviors and rules, and subcomponents, cols. 15-20, Examiner interprets the smart property list to include the behaviors and rules and the smart property to include a specific behavior component, the property and property to include the attributes listed and the extension to include the subcomponents)

With respect to dependent claim 8, displaying said component interface on a cathode ray tube display. (Falacara discloses displayed virtual reality components on a visual display device, col. 4, lines 5-35)

With respect to dependent claim 9, displaying a plurality of component interfaces; (Falacara discloses displayed VR components, col. 4, lines 5-7) selecting one of said plurality of component interfaces. (Falacara discloses manipulating the VR components, col. 4, lines 5-7)

As per independent claim 10, an apparatus for interfacing with a three-dimensional object . . . it is rejected based upon similar rational as above independent claim 1, a method of interfacing with a three-dimensional object . . . Falacara further discloses a system and method to construct virtual reality environments, col. 3, lines 9-20.

With respect to dependent claims 11-12, see above rejection for dependent claims 2 and 8 respectively.

As per independent claim 14, a computer system for interfacing with a three-dimensional object . . ., it is rejected based upon similar rational as above independent claim 1, a method of interfacing with a three-dimensional object . . . Falacara further discloses a modular computer graphics system using a computer processor, a visual display device and VR software components, col. 4, lines 12-35.

With respect to dependent claims 15, 17-19, see above rejection for dependent claims 2, 6, 7 and 9 respectively.

As per independent claim 20, a computer readable medium having a computer program stored thereon . . . it is rejected based upon similar rational as above independent claim 1, a method of interfacing with a three-dimensional object . . . Falacara further discloses software components programmed on a CD-ROM , col. 11, lines 5-9.

With respect to dependent claims 21, 23-25, see above rejection for dependent claims 2, 6, 7 and 9 respectively.

With respect to dependent claims 26-33, see above rejection for dependent claim 2 above.

With respect to dependent claim 34, component interface is interactive with said three-dimensional content through said interfacing content. (Falacara discloses EXTERNPROTO, an interface specification for each component attribute, col. 15, lines 25-36)

As per independent claim 35, "a method for interfacing with a three-dimensional object . . . comprising: defining a three-dimensional object as a component . . . ; transmitting at least a portion of said component over a network; and displaying a component interface . . . (see above rejection for dependent claim 1, Falacara further discloses components obtained via the World Wide Web, col. 11, lines 6-10)

With respect to dependent claims 36 and 37, transmitted portion of said component is at least a portion of said three-dimensional content (interfacing content). (Falacara discloses downloading component libraries having modeling code and behavior to communicate with an application programming interface and a graphics device interface, col. 1, lines 20-58)

Response to Arguments

7.   Applicant's arguments with respect to claims 1-26 and 29-37 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Motilewa A. Good-Johnson whose telephone number is

(703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM -

5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 306-

0377.

Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj

JEFFERY BRIEN
PRIMARY EXAMINER